1ST ANNUAL REPORT

The Provincial Court of Manitoba

2002-2003

Courts' Web Site:

The Manitoba Courts' web site is located at: www.manitobacourts.mb.ca

The Annual Report is available on the web site, in addition to various other information on the Courts. The web site will continue to evolve and be a key component of future public and media relations initiatives of the Courts in Manitoba.

The Honourable Chief Judge
Raymond E. Wyant

The Provincial Court of Manitoba

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The Honourable Gord Mackintosh
Minister of Justice and Attorney General
104 Legislative Building
Winnipeg MB R3C 0V8

Dear Mr. Mackintosh:

I am pleased to enclose the Provincial Court's first Annual Report for the fiscal year April 1, 2002 to March 31, 2003.

Sincerely,

Raymond E. Wyant
Chief Judge

RW/rsc

Encl.

104-02521/

Table of Contents

INTRODUCTORY COMMENTS BY CHIEF JUDGE.....5

INTRODUCTION.....13

COMPOSITION OF THE COURT.....14

APPOINTMENTS, RETIREMENTS.....14

WORKING RELATIONSHIPS
- Relationship with other Branches of Government.....17
- Relationship with other Courts.....19

WORK OF THE COURT
- Making Judicial Decisions.....20
- Criminal Matter.....20
- Family Matters.....22
- Inquests.....22
- Law Enforcement Review Act.....25

SCHEDULING, COURT UTILIZATION, AND AVAILABILITY OF TRIAL DATES.....27
- Court Utilization.....28
- Court Statistics.....30
- Winnipeg Trial Courts.....31
- Domestic Violence Trials.....32
- Adult Non-Domestic Violence Trials.....33
- Youth Trials.....34
- Federal Trials.....35
- Winnipeg Docket Courts.....36
- Adult Bail Courts.....37
- Adult Screening & Disposition Dockets.....37
- Domestic Violence Screening & Disposition Courts.....38
- Non-Domestic Violence Screening & Disposition Courts.....39
- Regional Courts & Circuit Courts.....40
- Availability of Trial Dates.....41

ADMINISTRATION OF THE COURT.....44
- Judicial Compensation.....45
- Contingent Liability.....45

CONCLUSION.....47

APPENDICES.....49 - 83

Provincial Court of Manitoba: Annual Report

Introductory Comments

Chief Judge Raymond E. Wyant

> *In 2001, The Provincial Court Act was amended to require that the Chief Judge submit an annual report to the Minister of Justice who must table it in the Legislative Assembly. I am pleased with that requirement because I firmly believe that the court must be accountable to the public it serves.*

This report, the first since the amendments to the legislation, is submitted in the 30th year since the creation of the Provincial Court in Manitoba. Like other institutions, the Provincial Court is an evolving and ever-changing entity. It is significant to note that provincial courts across the country, though they share significant fundamental similarities, have all evolved and developed in different ways. Apart from the commonality of dealing primarily with criminal matters for both adult and young persons in conflict with the law, some of the other responsibilities given to the Provincial Court differ from province to province. In this report, I will elaborate on the jurisdiction of the Provincial Court in Manitoba.

The Provincial Court Act sets out what is to be included in the report and, throughout this report, I have provided the information required. I regret,

however, that I am unable to include a more detailed analysis of the information submitted because the automation of the Provincial Court is in its infancy, having started in the year 2000. Until the Criminal Court's Automation Information Network (CCAIN) is fully developed and operational, I will only be able to provide raw data which will not give the public an accurate insight into the actual work required and done in the court. Much of the information available to the court on which it must make its operational decisions has, historically, been anecdotal. The court has not been able to keep accurate statistics that reflect the actual work of the court. Without that, decision making can become extremely problematical.

I am pleased that the government has continued its funding of this critical automation project and can only urge it to maintain the funding so that the project can be completed as soon as possible.

Resources

The volume of work within the Provincial Court is beyond its control. In other words, the input of cases into the system happens independently of influence from the Provincial Court. Through the investigation of criminal activity by the police, and the charging policies of the police and Crown Attorneys' Office, criminal cases come into the system. The number of these cases can depend on the resources available to the police and to the Crown.

The government has recognized the important role to society of prosecutions and police by the infusion of resources to those institutions in order to deal with crime and criminal activity. However, with the allocation of those resources comes more work for other institutions in the criminal justice system. As more cases are prosecuted and more charges laid, the inevitable result will be more work for the courts and other government and community institutions and organizations.

The increasing number of cases puts a great strain on those organizations that have not received corresponding resources. Each action has a reaction. Each infusion of resources to certain organizations will affect others. More cases for the courts, and longer and more complex hearings, may inevitably result in longer backlogs.

> *It is an old adage, but justice delayed will increasingly become justice denied.*

In addition, the Provincial Court in Manitoba is one of only three courts in the country (Newfoundland and Prince Edward Island Provincial Courts are the other two) that does not have a relief system available to it to ensure that cases are conducted in a timely fashion.

In most organizations, part-time or relief workers can be found and hired to ensure that the work of those organizations continues even when the regular employees are not available. In the Provincial Court, this does not happen. There are no senior judges that we can call on to assist in the work of the court. If someone is on vacation, or someone is sick, either in the short or long term, the court can only respond by closing courts. This compressing of courts, particularly at peak holiday times, causes cases to be delayed. Delay is costly, not only in financial terms, but in its impact on people, including victims and witnesses.

> *The provision of a senior judge program, as found in other jurisdictions, would allow the court to be flexible and responsive in providing appropriate courts for all of the citizens of this province in a more timely and effective fashion.*

The senior judge program is one of the areas that the Provincial Court feels is critical to the efficient operation of the court. The Court is working on a presentation for government which we intend to forward in due course. We look forward to fully discussing the proposed program and its benefits as we see them.

Additionally, it is not just the increase in criminal cases that causes pressure on the court system. The number of *Law Enforcement Review Act* (LERA) hearings and the number of inquests under *The Fatality Inquiries Act* are not matters within the control of the court. Recently we have seen a number of lengthy inquests presided over by the Provincial Court. When a judge is assigned to those inquests for whatever period of time, that judge becomes unavailable for other criminal matters putting even further pressure on the criminal justice system.

Administrative Independence

One way of dealing with this increasing need to respond to workload, in addition to the provision of a senior judges' program, is to ensure that the court is administratively independent. In other words, the Provincial Court needs to be able to evaluate the way in which funds allocated can be spent to ensure the most appropriate use of resources. That independence would allow the flexibility necessary to allocate funds to respond to unforeseen circumstances or an increase in workload as determined by the court, without the requirement that the court compete for resources with areas of high need within the wider department of Justice. In this way, the court can become increasingly accountable to the public it serves.

Education and Information Technology

Continuing education for judges is extremely critical in order that they can keep up with the rapid change in the law and legal decision-making and can remain current and sensitive to social issues. In this regard, the education budget provided for the Provincial Court of Manitoba is, in our

opinion, inadequate for the purpose of keeping Provincial Judges current. At present, the education budget for the court is $40,000 for 40 judges. That amount of money does not go very far at all and we have often found an inability to send judges to appropriate educational conferences simply because we lack the resources to do so.

To compare, our neighbor to the west, Saskatchewan, with almost the same number of judges (47) provides $117,675 per year as an education budget. The budget in Manitoba has not been altered for quite sometime.

In addition, Manitoba judges, as with others, benefit greatly from continuing education programs offered by the National Judicial Institute (N.J.I.). Manitoba is only one of two provinces (Quebec being the other) that does not contribute annual grants to the N.J.I. The N.J.I. requests a grant of $13,000 per year. Manitoba judges only have the ability to contribute directly from their education budget rather than from a separate government grant, which is provided by all other jurisdictions, except Quebec, separate and apart from the education budget for those courts. The effect is that Manitoba judges are at a distinct disadvantage in accessing N.J.I. continuing education courses. To its credit, the N.J.I. has been helpful in assisting Manitoba judges to participate but we have asked, and will continue to ask, the Government of Manitoba to contribute, as virtually every other jurisdiction in Canada does, to the N.J.I.

Incidentally, although Quebec does not contribute, they have developed their own separate educational programs and have a close working relationship with the N.J.I.

Further, the Provincial Court, as with the other courts in Manitoba, are experiencing significant difficulties with aging computer technology. We have experienced situations where our programs are not capable of running resource information provided on CD-Roms because our system is simply not

compatible, or is too old or too slow. Without the ability to run current programs and access vital current information such as that which occurs daily in relation to the new *Youth Criminal Justice Act*, Manitoba judges again are at a distinct disadvantage in being able to adequately do their jobs. This is an aspect that the government is aware of and that representatives of the department are working hard at resolving. While those efforts are greatly appreciated, we will continue to press for currency and relevancy in our information technology systems.

Court Initiatives

Recently, the Provincial Court has launched a number of innovative and challenging initiatives in order to respond to the citizens that it serves. One of those initiatives deals with the way in which cases are assigned by the court when they appear for trial. This assignment court model has proven to allow judicial resources to be used more effectively and in the courts where they are necessary.

Additionally, under my direction and guidance, the court is embarking on an ambitious review of the way that cases are managed from charge to plea. This review will begin by looking at the way that domestic violence cases are handled from the outset.

Simply stated, we are going to attempt to stop the unnecessary and lengthy remands and adjournments of cases that can cause delay through the system and can result in unwieldy and unmanageable dockets that tie up our court system and the resources of Justice partners, such as the Crown, Corrections, Courts' administration, Legal Aid, and the private defence bar.

We hope that this review of the way cases are handled will ultimately speed cases through the system and allow us to use our courts more

effectively. Once implemented and successful, this model will then be expanded to include all other areas, including non-domestic adult matters and youth matters. The court knows that its responsibility is to manage its own limited resources as effectively and efficiently as possible and is responding with these initiatives.

In addition, we are also reviewing our organization in the regional areas of Manitoba. Having regard to the need for the court to be responsive to all of our citizens, we are presently looking at the way our circuit courts are run throughout the province with a view to ensuring our services are delivered in an effective and efficient manner. In addition, we note the many times Winnipeg judges are required to sit in The Pas, Thompson, or other northern communities in order to ensure that those courts can operate. In 2002-2003, Winnipeg judges went to northern courts 123 days. This is costly and takes judges in Winnipeg away from the need to deal with cases in their jurisdiction. We are of the opinion that an additional judge is needed for northern Manitoba in order for the court and the justice system to be effective and responsive to the needs of citizens in the north, most especially for aboriginal and First Nation people. As a result, we will be putting forward a proposal to government for an additional judicial position in the north.

On a related note, we acknowledge, commend, and thank the government for responding quickly to the judicial vacancies in Thompson and Brandon that we experienced during the year. This timely and appropriate action helped to minimize the stresses that occurred to many communities as a result of these vacancies.

Further, the court, through its members, is looking at a variety of other initiatives, from plain language in our court system to educational initiatives and the development of rules of the court. These initiatives are all designed to make our court more effective, responsive, and efficient.

These initiatives cannot happen without dedicated, energetic, and hard-working judges. I can assure the Minister of Justice, and in fact, the citizens of this province, that they are well served by a cadre of hard-working and dedicated judges whose desire to administer the law and justice is keen, and who do administer justice in a fair and impartial fashion.

Your Provincial Court is an institution to be proud of and to celebrate.

As citizens in a free and democratic society, we must remember that our courts stand as a bulwark that protect the rights of citizens, ensure that people can be dealt with in a fair and impartial fashion, and ensure that order is maintained. One only needs to look at many countries to see situations where people are detained without just cause and without concern for the principles of natural justice. Our system is looked upon by others as a model. But, it is dynamic and it needs to be able to adapt and respond to the changing demands of a fast-paced and complex society. One of our particular goals is to ensure that the public properly understands the legitimate important role of the court and to respond to the concerns brought to the court by the public.

This is a year of celebration of the 30th anniversary of the Provincial Court. The citizens of this province can have our assurance that we will continue to administer justice fairly and impartially, and that we will continue to look for ways of more effective and more responsive justice delivery.

Introduction

The Provincial Court of Manitoba is one of three courts in Manitoba. The other two courts are the Court of Queen's Bench and the Court of Appeal.

The Provincial Court was created on January 1, 1973 by *The Provincial Court Act* and has the jurisdiction or authority to make decisions in most criminal matters and some family law matters. In fact, almost all criminal cases in Manitoba begin – and most end -- in the Provincial Court. In addition to cases under the *Criminal Code*, the Provincial Court hears cases under a variety of other federal statutes such as the *Controlled Drugs and Substances Act,* and hears all provincial statute cases such as those under *The Highway Traffic Act.* It has the same jurisdiction as the Court of Queen's Bench (Family Division) for some family proceedings, and subsection 10(5) of *The Provincial Court Act* allows a judge of the court, with the permission of the Chief Judge, to act as a Master or Deputy Registrar of the Court of Queen's Bench. The court also presides over inquests pursuant to *The Fatality Inquiries Act* and hearings alleging police misconduct pursuant to *The Law Enforcement Review Act* and *The Provincial Police Act.*

Decisions of the Provincial Court that may be appealed to the Court of Queen's Bench are those on judicial interim release (bail) and summary conviction offences. All others may be appealed to the Court of Appeal.

Composition of the Court

Subsection 3(1) of *The Provincial Court Act* states:

"The Lieutenant Governor in Council may appoint such persons as he or she considers necessary as judges of the court...."

At the beginning of fiscal year 2002/03, there were 39 judges of the Provincial Court (see Appendix A). Twenty-nine judges worked in the Winnipeg Centre of the court. The other 10 judges worked in regional court centres: two in Thompson, two in The Pas, two in Dauphin, three in Brandon, and one in Portage la Prairie.

The Provincial Court of Manitoba was one of the first provincial courts in Canada to have a female Chief Judge. In 2002/2003, women made up 28 per cent of the court, one of whom was appointed an Associate Chief Judge during the year.

Appointments, retirements, etc.

When a decision is made that a judicial vacancy should be filled, the Minister of Justice advises the Chief Judge and a Judicial Nominating Committee is created. The committee is chaired by the Chief Judge and has representatives from the community, provincial court judges and lawyers. The committee advertises for applicants, reviews applications, interviews candidates, checks references and determines which qualified candidates will be recommended to the Minister. At the end of its review, a list of three to

six recommended candidates is provided to the Minister who makes a recommendation to Cabinet (the Lieutenant Governor in Council), where the decision on appointment is made.

It is important that the face of the court reflects the people it serves.

In 2001, changes were made to *The Provincial Court Act* to require the nominating committee to include criteria respecting the diversity of Manitoba society in addition to the assessment of professional excellence, community awareness and personal suitability of candidates. The legislation also requires the government to recognize the importance of reflecting the diversity of Manitoba society in the composition of the nominating committee.

Judges stay in office during "good behaviour" and can only be removed if there has been a finding of misconduct by the Judicial Council. There are, however, seven year non-renewable terms for the offices of Chief Judge and Associate Chief Judge. At the end of their term, these judges will resume the duties of a regular judge without the administrative responsibilities associated with these positions. The terms apply only to judges appointed to those positions after July 2001.

In 2002/2003 there were several changes to the court.

- The year started with Associate Chief Judge Bruce Miller acting in the position of Chief Judge as Judge Judith Webster had stepped down as Chief Judge and resumed regular judicial duties in October 2001.

- On July 10, 2002, Judge Raymond E. Wyant was appointed Chief Judge for a seven-year non-renewable term. On September 18, 2002, Judge Mary Kate Harvie was appointed an Associate Chief Judge for a seven-year non-renewable term.

- On September 8, 2002 The Honourable Judge David Coppleman of Brandon passed away, and on December 13, 2002, The Honourable Judge Jack Drapack of Thompson retired from judicial office, creating two judicial vacancies.

- On March 26, 2003, The Honourable Judge John Combs (Brandon Centre) and The Honourable Judge Murray Thompson (Thompson Centre) were appointed to the court following recommendations from judicial nominating committees.

- The Honourable Judge Philip Ashdown (Winnipeg Centre) retired from judicial office on December 31, 2001, creating a judicial vacancy in Winnipeg. The Judicial Nominating Committee established as a result of this retirement had been convened but had not completed its work as of March 31, 2003.

Working Relationships

▮ *Relationship with Other Branches of Government: Judicial Independence*

The Provincial Court, like all courts in Canada, is independent of the executive and legislative branches of government.

To have an independent judiciary means that there are safeguards in place to allow judges to feel secure in making decisions that follow the law, particularly when the decision may not be popular with the general public or the government. These safeguards are designed to prevent a judge's decision from being influenced in ways other than through the proper court process. In the end, if a government wants to change decisions being made by judges, it can change the legislation but it cannot change the way judges interpret the legislation. Only the federal government can change the Criminal Code of Canada.

The safeguards that reflect the components of an independent judiciary as established in the common law (court judgments) are set out in the provisions of *The Provincial Court Act.*

1. Section 8.1 respecting the responsibility of the Chief Judge for the judicial functions of the court, including sittings of the court and judicial assignments and the supervision of matters that are assigned by law to the court (institutional independence).

2. Subsection 3.1(2) establishing an independent judicial nominating committee which recommends candidates for judicial appointment to the court, and Part IV which establishes an independent judicial complaint process that includes the process respecting the removal of a judge from office (security of tenure).

3. Subsection 11.1(1) establishing an independent judicial compensation committee to review and determine the salary and benefits to be paid to judges of the court (financial security).

Even though the judiciary is independent, that does not mean that the judicial branch cannot work cooperatively or jointly with the executive branch toward the best possible court service. To the contrary, the court works together with Courts Division, Corrections Division, Prosecutions Division, law enforcement agencies, and the defence bar to implement projects and initiatives designed to improve the court system in Manitoba. This work is carried out with understanding and respect for the independence of the judicial branch from the other branches of government.

In practical terms, the Courts Division of Manitoba Justice provides the necessary resources for the operation of the Provincial Court. Although it is accountable to the executive branch of government through the Minister of Justice and Attorney General, the day-to-day operation of the court and any judicial decisions made are not to be influenced or interfered with by the executive branch.

A good example of this co-operation is the increased use of technology in the courtroom. In addition to using video technology for bail hearings where the accused is being held at the Winnipeg Remand Centre, an accused housed at Headingley Correctional Institution can also appear by video in certain adult courts (an initiative launched this year). This has reduced the number of accused to be brought into Winnipeg for court by 50-60 accused per month. This is of considerable assistance to Courts Division in helping to reduce expenditures for transporting prisoners.

Relationship with the Other Courts

The three levels of courts share space in courthouses and provincial buildings throughout the province, as well as human and financial resources. The Manitoba Courts Executive Board was created to provide a forum for the exchange of information, the identification of issues of mutual concern, and the discussion of options to resolve those issues. The board is composed of the Chief Justice of Manitoba, the Chief Justice of the Court of Queen's Bench, the Chief Judge of the Provincial Court, and the Deputy Minister of Justice, with the Assistant Deputy Minister of Courts Division as secretary. The establishment of the board recognizes that the judiciary and government are equally committed to the administration of justice and need to work closely together to make the justice system more effective, efficient, accessible to and better understood by members of the public.

Work of the Court

Making Judicial Decisions

In making decisions, judges must consider the law, which can be decisions from other courts and/or legislation including the *Canadian Charter of Rights and Freedoms*, and then apply the law to the evidence (information they have been given during a hearing). There are certain rules and tests to be used to make a decision. In child protection matters and family matters involving children the most important consideration is the best interests of the child. In criminal matters, an accused is presumed to be innocent until proven guilty and must be proven guilty beyond a reasonable doubt to be convicted. There are also rules and guidelines when a judge is sentencing an accused. Judges are restricted by the Criminal Code of Canada, other legislation and other court decisions when determining an appropriate sentence for an accused.

Criminal Matters

Most of the work of the court is presiding over criminal matters. The Provincial Court hears applications for judicial interim release (bail), presides over intake courts (first appearance), screening courts (resolution), preliminary inquiries (to determine whether there is enough evidence to order an accused to stand trial in The Court of Queen's Bench), and various trial courts. The Provincial Court hears most youth criminal cases in Manitoba pursuant to the *Young Offenders Act* and the new *Youth Criminal Justice Act.*

When a person is arrested, they are either released by police and given a date when they have to come to court, or they are held in custody by police. If they are held in custody they are to appear in front of a justice of the peace or judge within 24 hours of being arrested. They may be released with conditions either after a contested bail hearing or by consent and given a next appearance date. Usually at the bail hearing it is up to the Crown to show why a person should not be released. If a person is out on bail at the time they are arrested, it is up to them to show why they should be released. It is very beneficial for an accused (someone who has been arrested and is accused of committing a crime) to receive legal advice as early as possible in the process.

Cases are divided by subject matter. Because different laws apply depending on the age of an accused, adult and youth matters are kept separate. The adult offences are divided into domestic violence and non-domestic violence cases. There is also a division between those offences that are prosecuted by the federal government (offences under federal legislation, e.g. drug offences and income tax offences) and those prosecuted by the provincial government (offences under the Criminal Code and provincial legislation, e.g. highway traffic offences and liquor offences).

As of March 31, 2002 there were 52,321 outstanding adult charges and 7,923 outstanding youth charges in the system. In 2002/2003, there were 79,484 new charges against adults (includes charges against businesses) and 18,138 new charges against youths received by the court. Overall, in 2002/2003, 55% or 72,673 of the 131,805 adult charges in the system were disposed of and 66% or 17,423 of the 26,061 youth charges in the system were disposed of.

Depending on the type of offence, both the Crown and the accused have choices about how the case will proceed, and whether a preliminary inquiry

will be required. At screening court, Crown and defence discuss the case and determine if the accused will plead guilty or not guilty. If an accused pleads not guilty, then a trial date will be set. If an accused pleads guilty, sentencing can take place at that time or a date for sentencing will be set.

Family Matters

In certain parts of the province for family matters where a provincial statute is used, the Provincial Court shares jurisdiction with the Court of Queen's Bench. This involves child protection matters under *The Child and Family Services Act* and custody, access and support matters under *The Family Maintenance Act.*

Inquests

Under *The Fatality Inquiries Act*, where the Chief Medical Examiner determines that an inquest ought to be held, it is presided over by a judge of the Provincial Court. At the end of inquest hearings, the inquest judge sends a written report to the Minister of Justice and the Chief Medical Examiner. The report is to include any recommendations by the inquest judge concerning the laws of the province, programs, policies or practices of government or relevant public agencies or institutions which, in the opinion of the inquest judge, would reduce the likelihood of deaths in similar circumstances to those which resulted in the death that is the subject of the inquest. The inquest judge is not to express an opinion or make a determination about who is or could be blamed in a way that could reasonably identify a person at fault.

Prior to August 1, 2002, there was no deadline for an inquest judge to complete the inquest report. On August 1, 2002 amendments to *The Fatality Inquiries Act* were passed, which included a six-month timeframe following the end of an inquest for the completion of the report by the inquest judge. An extension of up to three months may be given by the Chief Judge. The Chief Judge may give an extension of time longer than three months if it is determined that the inquest involves highly complex matters. The Chief Judge may also relieve or reduce the other duties of the inquest judge until such time as the report is completed. Notice of the extension is to be given by the inquest judge to all persons granted standing at the inquest and also the Office of the Chief Medical Examiner.

If, at the end of the extended time given to complete the report the inquest judge has failed to do so, the Chief Judge is to refer the matter to the Judicial Inquiry Board to be dealt with as a complaint under the judicial complaints provisions of *The Provincial Court Act*, unless the Chief Judge determines that there were extraordinary circumstances involved. If extraordinary circumstances are found by the Chief Judge, the Chief Judge may grant a further extension of time within which the inquest judge is to complete the report. The inquest judge is responsible for notifying the parties given standing at the inquest and the Office of the Chief Medical Examiner of this further extension of time within which to complete the report. As of March 31, 2003, these amendments had not come into effect, so did not apply to inquests completed in 2002/2003.

In fiscal year 2002/03, there were eight inquest reports issued by the Provincial Court.

NAME OF DECEASED	DATE OF REPORT RELEASE	TIME TO COMPLETE REPORT
1. Joe Akiwenzie	July 26, 2002	2 months
2. Michael Spence, Melanie Spence and Angela Spence	July 31, 2002	6 months and 3 days
3. Vance Henderson	September 3, 2002	6 months
4. Joshua Goosen	September 12, 2002	3 months
5. Doreen Leclair and Corrine McKeown	October 29, 2002	6 months
6. David Schroeder and James Friesen	October 31, 2002	6 months and 2 days
7. Patrick Redhead	January 16, 2003	11 months
8. Sophia Schmidt	February 27, 2003	50 months

There were also six inquest reports pending or not yet completed. There were 11 inquest hearings that had not yet been scheduled for hearing or the hearing had not yet been completed and, of those, seven were inquests called in 2002/03.

In anticipation of the implementation of these amendments and to ensure that judges can meet the deadlines imposed by the legislation, the process for the scheduling of an inquest was changed in September 2002. Prior to that time, the Chief Medical Examiner (CME) would write to Prosecutions advising that an inquest would be held, a Crown attorney would be assigned, the dates would be set, and the Chief Judge would then be asked to assign a judge. This limited the judges who could be assigned to any given inquest and did not allow the court to appropriately co-ordinate judicial writing days. The current process is that the CME writes to the Chief Judge advising that an inquest is to be held and the Chief Judge assigns a judge. The judge then contacts the Crown attorney who co-ordinates inquests, arrangements are made for standing hearings (hearings to determine who can examine and cross-examine witnesses at the inquest), and inquest dates are set. In this way, the hearing is set based on the availability of the judge in consultation with counsel and an appropriate amount of time can be set aside for the judge to write the report after the completion of the inquest.

Law Enforcement Review Act

The Law Enforcement Review Act sets out the process to be followed when there is a complaint about the conduct of members of policing agencies in Manitoba. There are two processes under the act where the Provincial Court is required to be involved: one is called a 'review' and the other is called a 'hearing'.

If the Commissioner of the Law Enforcement Review Agency decides not to take further action with respect to a complaint, the complainant may apply to the Commissioner to have the decision reviewed by a judge of the Provincial Court. In 2002/03, there were 15 reviews conducted by judges of the Provincial Court. Each review generally takes a half day.

Hearings may be held before the Provincial Court:

(1) where the Commissioner recommends a penalty for a disciplinary default and the complainant disagrees with that recommended penalty, the Commissioner is to refer the complaint to a Provincial Court judge to determine the penalty to be imposed; and

(2) where the Commissioner refers the complaint to a Provincial Court judge for the judge to decide whether the complaint should result in disciplinary action against an officer .

In 2002/03, there were three hearings held by the Provincial Court.

Scheduling, Court Utilization, and Availability of Trial Dates

The Provincial Court has the responsibility of serving 64 communities as designated by the Minister of Justice. In Winnipeg there are 25 available Provincial Court courtrooms, including courtrooms at the Manitoba Youth Centre and St. Boniface. In addition, judges from Winnipeg travel to 25 communities to conduct court on a weekly, monthly or bi-monthly basis. The other 38 locations are served by judges who preside in regional court centres.

Other than statutory holidays and weekends, the court sits and is "open for business" year round. It is recognized, however, that there are peak holiday periods where many people want to take vacation. In recognition of the need to ensure coverage for administrative, prosecutorial and security functions, the court has formalized the setting of reduced rotas (schedules) for three periods during the year (eight weeks starting the Monday closest to July 1, two weeks at Christmas and the month of March).

At all other times during the year, there are four circuit courts, 11 trial courts, and nine docket courts scheduled daily from Winnipeg.

Court Utilization

Information to be included in the annual report

11.2(2) The annual report must contain the following information:

...

(e) the effective utilization of the court, including the average daily use of courtrooms by the Provincial Court in Winnipeg and in locations outside Winnipeg;

The Provincial Court Act, C.C.S.M. c. C275

For court utilization statistics to be meaningful, it is important to understand what a typical court day is like. Court usually sits from 10 a.m. to noon and 2 p.m. to 4 p.m. In addition to these regularly scheduled trial and docket courts, judges conduct matters such as sentencing hearings, giving decisions and hearing breach of conditional sentences at 9 a.m. and 1 p.m. These are generally matters where a specific judge is seized (they are the judge that must continue on the case).

Each week in Winnipeg, there is one judge assigned to be a duty judge and another judge assigned to be back-up duty judge. These judges conduct pre-trial conferences and deal with matters that do not require an appearance in court but do require a judge's decision, such as search warrants. The duty judge and back-up duty judge are also available to sit in court.

Judges also circuit to a variety of locations throughout the province. In Winnipeg, four judges travel to circuit court locations daily. Depending on the circuit, it may take longer to travel to and from court than to preside in court. The shortest round trip travel time to a Winnipeg circuit location is .9 of an hour; the longest is 6.5 hours.

Judges are also expected to give researched and reasoned decisions. As a result, in addition to presiding in court, they need to spend time writing decisions, reading reports and case law for court, conducting research to keep up with recent changes in the law, and attending educational seminars.

The Crown determines the number of matters that can be set down in any individual courtroom and is expected to set the number of matters that will make up a full day in court. There is an expectation that a judge will be assigned to each courtroom. Often there are not enough judges to cover all of the court sittings scheduled for a day. However, there is a recognition that often scheduled trials do not proceed. (On average, 40 to 50 per cent do not proceed.) Trials can cancel at the last minute if a witness does not show up, if defence counsel has lost contact with their client, or if the accused is going to plead guilty.

To try to counteract these last minute cancellations, the court books the same trial judge for two courtrooms knowing that there is a chance that if everything does proceed there may be a delay in the start of a trial or the date may need to be changed. While this is a risk, it most often results in all courts being covered and all cases being heard. With the number of factors outside the control of the court that affect what happens in court, the balance between scheduling judges so that courts are effectively utilized and having cases proceed through the system in a timely way is an extremely difficult one to maintain.

Court Statistics

In reviewing the statistics on the following pages, IT IS IMPORTANT TO NOTE THE FOLLOWING:

1) ½ day of a court sitting is 2 hours.

2) On occasions when a booked courtroom was not used, a judge may not have been available in any event.

3) It is not uncommon for a judge to move to more than one courtroom in a day. If cases fold early, the judge is often assigned to another courtroom.

4) These statistics DO NOT reflect sittings from 9:00 to 10:00 a.m. and 1:00 to 2:00 p.m., which occur frequently each week.

5) The docket courtrooms, bail courts, domestic and non-domestic screening courts are almost always in use all day and can often exceed the usual sitting hours. This is due to the volume of cases in those courts.

6) The trial courts may often reflect less than full usage. The Crown Attorneys' Office controls the number of cases set for those courtrooms. In recognition of the fact that many cases do not proceed at the last minute, those courtrooms are often "overbooked" with trials. Even with this over-booking, courtrooms may still be used less than 100%. The collapse of cases on the day of trial cannot be controlled by the judge. The solution may be to book even more trials for each courtroom. The difficulty is that the Crown must prepare each case as if it were proceeding. It becomes increasingly difficult for a Crown attorney to prepare more cases. Additionally, on some days cases do not fold as anticipated, and from time to time, not all cases can proceed. Although some courtrooms may be booked but not used or not used fully, the judge may often be required in other courtrooms. An under-utilized trial court does not mean a judge or a Crown attorney is not in court or working elsewhere.

The court's "front end" initiative is designed to ensure that cases are better handled and screened at the front end. There is hope that this will have the effect of setting cases for trial that have been better prepared by counsel and less likely to collapse. In this way, court time – both at the front end and the back end of the system – will be better utilized.

Winnipeg Trial Courts

In Winnipeg, all trials that have been set for the day are on a list in an assignment court. There are four assignment courts: one each for adult domestic violence matters, adult non-domestic violence matters, youth matters, and federally prosecuted matters. All trials scheduled for that day are scheduled into one assignment court. The assignment court judge reviews all of the matters with counsel and determines which are going to proceed to trial, whether there will be a guilty plea and a sentencing will take place or whether an adjournment is requested. The judge decides whether or not it is necessary to open another courtroom. All procedural matters (warrants, remands) are handled in the assignment court, as well as some sentencing hearings and trials. If only the assignment court is required, the judge scheduled for the other court will often be moved into another courtroom. On many occasions, there may not have been a judge available for the other courtroom in any event.

Domestic Violence Trials

Two courtrooms are designated daily to deal with domestic violence trials: an assignment court (403) plus a trial court (412). Below is a representative sample of usage. (Please refer to appendix 'B' for the full fiscal year's statistics.)

JANUARY 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	44	27	1.5 hours
412	44	14	1.4 hours

FEBRUARY 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	40	25	1.8 hours
412	40	11	1.4 hours

MARCH 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	42	28	1.8 hours
412	42	12	1.7 hours

Adult Non-Domestic Violence Trials

Four courtrooms are designated as adult non-domestic violence trial courtrooms: 404 is the assignment court, and 405, 406 and 407 are the trial courtrooms. Below is a representative sample of usage. (Please refer to appendix 'C' for the full fiscal year's statistics.)

JANUARY 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	44	26	2 hours
405	44	27	1.7 hours
406	44	23	1.9 hours
407	44	17	1.9 hours

FEBRUARY 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	40	22	1.8 hours
405	40	19	1.6 hours
406	40	14	1.5 hours
407	40	30	2.3 hours

MARCH 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	42	27	1.8 hours
405	42	20	1.6 hours
406	42	16	1.7 hours
407	42	19	1.7 hours

Youth Trials

Two courtrooms are designated daily to deal with youth trials: an assignment court (306), plus a trial court (307). Below is a representative sample of usage. (Please refer to appendix 'D' for the full fiscal year's statistics.)

JANUARY 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	44	22	1.2 hours
307	44	11	1.2 hours

FEBRUARY 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	40	30	1.6 hours
307	40	9	1.8 hours

MARCH 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	42	25	2 hours
307	42	10	2.2 hours

Federal Trials

Two courtrooms are designated daily to deal with trials for federally prosecuted matters: an assignment court (409), plus a trial court (411). Below is a representative sample of usage. (Please refer to appendix 'E' for the full fiscal year's statistics.)

JANUARY 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	44	27	1.8 hours
411	44	10	1.4 hours

FEBRUARY 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	40	22	2 hours
411	40	11	1.7 hours

MARCH 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	42	27	1.9 hours
411	42	10	1.7 hours

Winnipeg Docket Courts

Youth Bail, Disposition and Screening Dockets

At the Manitoba Youth Centre, youth bail matters are heard five half days a week, and disposition matters are heard three half days a week. In addition, there are four half days a week of youth screening courts (303) including a federal docket (301). Below is a representative sample of usage. (Please refer to appendix 'F' for the full fiscal year's statistics.)

JANUARY 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	35	35	1.8 hours
301/303	26	26	1.6 hours

FEBRUARY 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	31	31	1.7 hours
301/303	22	22	1.5 hours

MARCH 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	34	34	1.8 hours
301/303	26	26	1.2 hours

Adult Bail Courts

In Winnipeg, there are two bail courts: 304 that sits 10 half days per week and 305 that sits six half days per week. Below is a representative sample of usage. (Please refer to appendix 'G' for the full fiscal year's statistics.)

JANUARY 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	44	32	2.5 hours
305	25	25	2.4 hours

FEBRUARY 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	40	36	2.2 hours
305	24	21	2.5 hours

MARCH 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	42	31	2.9 hours
305	25	25	2.7 hours

Adult Screening and Disposition Dockets

Other than specialized courts such as bylaw, private prosecutions, provincial statute and gun court, the remaining dockets are screening courts and disposition courts for federal, youth, adult domestic violence, and adult non-domestic violence matters.

Domestic Violence Screening and Disposition Courts

There are disposition courts two half days per week and screening courts five half days per week. Below is a representative sample of usage. (Please refer to appendix 'H' for the full fiscal year's statistics.)

JANUARY 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
301	4	4	2.8 hours
305	8	8	3.2 hours
401	3	3	2.5 hours
402	16	16	2 hours

FEBRUARY 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
301	4	4	2.7 hours
305	8	8	2.3 hours
401	3	3	2.2 hours
402	14	14	1.8 hours

MARCH 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
301	5	5	2.8 hours
305	9	9	2.6 hours
401	4	4	1.8 hours
402	12	12	2.2 hours

Non-Domestic Violence Screening and Disposition Courts

There are disposition courts four half days per week and screening courts 12 half days per week. Below is a representative sample of usage. (Please refer to appendix 'I' for the full fiscal year's statistics.)

JANUARY 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	32	28	2.6 hours
303	12	9	1.5 hours
305	9	8	1.7 hours
401	17	16	1.9 hours

FEBRUARY 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	30	30	2.3 hours
303	11	8	.9 hours
305	8	7	1.6 hours
401	19	19	1.8 hours

MARCH 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	34	31	2.6 hours
303	13	10	1.4 hours
305	8	8	2.2 hours
401	18	18	2.2 hours

Regional Courts and Circuit Courts

As much as possible, the court goes to the people it serves, travelling by car, plane and/or boat and holding court in such facilities as community halls, band offices and schools. (See Appendix "J" for a listing of all court sitting locations.) Presiding over a formal court process in these informal and sometimes sparse court settings is both challenging and rewarding.

The court utilization statistics for regional courts and circuit court centres are set out in Appendices K-P as follows:

- Appendix "K" contains Brandon and all Brandon circuit courts
- Appendix "L" contains Dauphin and all Dauphin circuit courts
- Appendix "M" contains Portage la Prairie and all Portage la Prairie circuit courts
- Appendix "N" contains The Pas and all The Pas circuit courts
- Appendix "O" contains Thompson and all Thompson circuit courts
- Appendix "P" contains all Winnipeg circuit courts

Because of the distances and the number of matters involved, sittings in regional court offices and circuit court locations are measured in days as opposed to half days and the courts sit less frequently than in Winnipeg. The travel times are based on driving 80 kilometres in an hour to try to take into account weather and road conditions. Generally, the larger the centre, the more often the court sits.

In addition, while there is significant specialization in Winnipeg because of the volume of matters, in regional court and circuit court locations some sittings are combined youth, adult and sometimes family matters, while in other centres there are separate sittings for youth, adult and family matters.

Availability of Trial Dates

There can be a number of remands before an accused goes to trial or is sentenced. It can take some cases many months to get through the system.

Some reasons for the delay are:

- the Crown has not received all the information it needs from police;
- the Crown has not provided all the required information to defence counsel;
- the accused does not have a lawyer and wants to get one;
- Crown and defence counsel cannot co-ordinate their schedules;
- Crown and defence counsel are waiting for a report; and/or
- there is no available courtroom for a period of time due to the number of cases in the system.

The availability of trial dates regularly fluctuates due to several factors, some of which are beyond the control of the Court. In addition to those noted above, when law enforcement agencies more vigorously enforce certain legislation and when legislation changes, an increase in delay occurs generally because of a greater volume of cases in that area.

In regional court locations (excluding the north), the availability of trial dates varies on average from between one to four months. Across the north, the availability of trial dates varies from two to nine months. Some circuit locations sit weekly, while some remote northern locations sit once every two or three months. If a court is "weathered out" causing court to be cancelled in one of these remote locations, the delay is increased until such time as a special sitting can be scheduled.

The availability of trial dates in Winnipeg is of particular concern. The timeframes set out below are the first available dates for a trial of two or more days. So if, in March 2003, defence counsel asked for a two-day trial involving the domestic violence unit of the Crown's office where the accused was in custody, they would have been offered a date in July 2003. The timeframes, however, are in a constant state of fluctuation. As trial dates are cancelled, an effort is made to use the time, making earlier dates available. As noted earlier, if counsel is not available on the dates offered, that can result in further delay.

TYPE OF CASE	OCTOBER 2002	MARCH 2003
Domestic Violence		
-in custody	6 months	4 months
-out of custody	10 months	12 months
-child abuse	5 months	5 months
Youth		
-in custody	1.5-2 months	1-2 months
-out of custody	3 months	2 months
Adult Trials (other than D.V.)		
-in custody	1.5-2 months	5-6 months
-out of custody	8-9 months	9-10 months
Impaired Driving	8 months	8 months
Summary Conviction	1.5-2 months	9 months

To address this issue, the court is taking several steps. The first has been the creation of a daily assignment court for all trials set in Winnipeg. In addition to better court utilization, the long-term effect of this project is expected to be a reduction in delay.

The second step is that the court, in co-operation with Crown, defence, and police, is developing a system to significantly reduce the number of remands for domestic violence matters in Winnipeg. The Domestic Violence Front End Project is designed to ensure that once a matter is before a judge, a meaningful event will occur (not just being put over to another date) and strict timelines will be followed by Crown and defence to move matters more quickly through the system.

The third step is the automation of the Provincial Court scheduling system. Historically, the court advises the Crown of the number of courts that are open and the crown then determines the number of matters that can be set down in any individual courtroom. The availability of trial dates is within the control of Crown attorneys. The rationale has been that the Crown knows the strength of its case, the number of witnesses, and how long a trial is likely to take. Unfortunately, because each unit of the Crown's office has a separate set of dates and the court scheduling system is not automated, there is not an ability to ensure that the earliest dates possible are used for the highest priority cases. (e.g. the domestic violence unit may have in-custody dates in October 2003, whereas a non-domestic trial unit may have in-custody dates in September 2003). With the creation of an automated scheduling system, the court will be able to track the amount of time and number of matters booked to ensure that the earliest possible date can be provided.

Administration of the Court

Like any group of people who work together with a common purpose, the work of the court must be co-ordinated. Judges require administrative support, need to be scheduled for court, vacation and educational leave and need to be involved in the operation of the court. In administering the court, the interests of the public and the better administration of justice must be balanced with the needs and interests of the judges of the court. The Chief Judge provides leadership within the court, generally represents the judges of the court and advocates on behalf of the court.

> ***The Provincial Court Act*** **sets out the duties of the Chief Judge as:**
>
> **s. 8.1 The Chief Judge**
>
> **(a) has general supervisory powers in respect of judges, magistrates, justices of the peace and other staff in matters that are assigned by law to the court; and**
>
> **(b) is responsible for the judicial functions of the court, including direction over sittings of the court and the assignment of judicial duties.**

There are three Associate Chief Judges who assist the Chief Judge in managing the business of the court. Each Associate Chief Judge has an area of primary responsibility, e.g. youth, regional courts, and justices of the peace. Similar to many law firms, the court has a managing committee consisting of the Chief Judge, the Associate Chief Judges and several other members of the judiciary. In addition, there are a number of internal and

external committees of the court to facilitate its operation and its interaction with the justice system.

Judicial Compensation

The salaries and benefits received by judges are set by the Legislature on the recommendation of an independent judicial compensation committee. Every three years a judicial compensation committee gathers information from the other provinces and territories and hears submissions from the judges and the government about the appropriate salary and benefits for judges. After its review, the committee makes recommendations to the Minister of Justice who provides them to the Legislature where it is considered and accepted or rejected in whole or in part. If the recommendations for salary are equal to the average of the salaries in Saskatchewan, New Brunswick and Nova Scotia then the Legislature must accept that recommendation. The Legislature must have very good reasons to reject the recommendations of a judicial compensation committee.

Contingent Liability

Information to be included in annual report

11.2(2) The annual report must contain the following information:

...

(d) the contingent liability of the government for public funds that results from unused vacation leave or retirement allowances of the judges;

The Provincial Court Act, C.C.S.M. c. C275

As of March 31, 2003, the contingent liability of the government for unused retirement allowances and vacation leave was $1,630,093.50 ($852,044.91 retirements and $778,048.65 vacation leave)

Conclusion

Chief Judge Raymond Wyant

I would like to express my deep appreciation, affection and admiration for my colleagues on the Provincial Court of Manitoba. I admire their dedication to their profession and their passion for justice, and I value their friendship. In particular I wish to thank them for their support during my first nine months as Chief Judge of the Provincial Court. They have made this transition easier, and certainly enjoyable.

I would also like to thank and acknowledge the important relationship with the Minister of Justice and the Deputy Minister of Justice. Although we perform different functions and may not always agree, I appreciate their support of the judiciary and their willingness and dedication to work toward, and discuss collaboratively, solutions to the challenges that face us.

I would also like to thank all those individuals who work tirelessly in the criminal justice system, whether as court clerks, sheriff's officers, correctional officers, magistrates, or support staff. In whatever capacity they work in, these people are dedicated public servants whose support of the Court is necessary and who often go well beyond the call of duty in performing their job functions. The public is well-served by these individuals.

I would also like to acknowledge and thank those who work in a direct support capacity to the Provincial Court, whether as administrative assistants or advisors.

Finally, I wish to thank all those who contributed to the preparation of this first report. There were many people who provided information and

compiled statistics. It is not possible to name everyone, but I would like to acknowledge the assistance of Irene Hamilton, Assistant Deputy Minister; Lavonne Ross, A/Executive Director of Judicial Services; and my assistant, Ramona Carter, for all their help in preparing this report.

APPENDICES

PAGE

A. Provincial Court Judges of Manitoba.....51

COURT UTILIZATION:

B. Domestic Violence Trials in Winnipeg.....54

C. Non-Domestic Violence Trials in Winnipeg.....56

D. Youth Trials in Winnipeg.....58

E. Federal and Special Trials in Winnipeg.....60

F. Youth, Bail, Disposition and Screening Dockets.....62

G. Bail Courts in Winnipeg.....64

H. Domestic Violence Screening and Disposition Courts.....66

I. Adult Non-Domestic Violence Screening and Disposition.....68

J. Court Locations in Manitoba.....70

REGIONAL COURTS & CIRCUITS:

K. Brandon and Brandon Circuit Courts.....75

L. Dauphin and Dauphin Circuit Courts.....76

M. Portage la Prairie and Portage la Prairie Circuit Courts.....77

N. The Pas and The Pas Circuit Courts.....78

O. Thompson and Thompson Circuit Courts.....79

P. Winnipeg Circuit Courts.....81

APPENDIX

A

JUDGES OF THE PROVINCIAL COURT

JUDGE	DATE OF APPOINTMENT	COURT CENTRE
The Honourable Chief Judge Raymond E. Wyant	May 20, 1998 (Judge); July 10, 2002 (Chief Judge)	Winnipeg
The Honourable Associate Chief Judge Brian D. Giesbrecht	August 25, 1976	Brandon
The Honourable Associate Chief Judge Bruce H. Miller	December 21, 1994 (Judge) March 15, 1995 (Associate Chief Judge) October 24, 2001 – July 10, 2002 (Acting Chief Judge)	Winnipeg
The Honourable Associate Chief Judge Mary Kate Harvie	July 26, 2000 (Judge) September 18, 2002 (Associate Chief Judge)	Winnipeg
The Honourable Judge Robert L. Kopstein	September 15, 1971	Winnipeg
The Honourable Judge Samuel Minuk	July 31, 1972	Winnipeg
The Honourable Judge Howard Collerman	July 1, 1975	Winnipeg
The Honourable Judge Charles N. Rubin	July 1, 1975	Winnipeg
The Honourable Judge Theodore J. Lismer	January 17, 1977	Winnipeg
The Honourable Judge Ronald J. Meyers	November 1, 1977	Winnipeg
The Honourable Judge Arnold J. Conner	July 1, 1978	Winnipeg
The Honourable Judge Marvin F. Garfinkel	December 5, 1979	Winnipeg

JUDGE	DATE OF APPOINTMENT	COURT CENTRE
The Honourable Judge Charles K. Newcombe	February 1, 1980	Winnipeg
The Honourable Judge Wesley H. Swail	January 1, 1981	Winnipeg
The Honourable Judge Murray W. Howell	August 1, 1985	Winnipeg
The Honourable Judge Kenneth B. Peters	January 28, 1987	Dauphin
The Honourable Judge Richard W. Thompson	January 28, 1987	Dauphin
The Honourable Judge Brian M. Corrin	March 4, 1988	Winnipeg
The Honourable Judge Susan V. Devine	March 4, 1988	Winnipeg
The Honourable Judge Linda M. Giesbrecht	March 4, 1988	Winnipeg
The Honourable Judge John P. Guy	May 15, 1989	Winnipeg
The Honourable Judge Judith M. Webster	May 15, 1989 (Judge) December 15, 1993 to October 24, 2001 (Chief Judge)	Winnipeg
The Honourable Judge Roger J.C. Gregoire	January 16,1991	The Pas
The Honourable Judge Richard F. Chartier	August 16, 1993	Winnipeg
The Honourable Judge Krystyna Tarwid	July 6, 1994	Brandon
The Honourable Judge Brian G. Colli	September 21, 1994	Thompson
The Honourable Judge Robert G. Cummings	September 28, 1994	Portage la Prairie
The Honourable Judge Heather R. Pullan	December 21, 1994	Winnipeg
The Honourable Judge Brent D. Stewart	April 15,1998	The Pas

JUDGE	DATE OF APPOINTMENT	COURT CENTRE
The Honourable Judge A. Catherine Everett	May 20, 1998	Winnipeg
The Honourable Judge Glenn D. Joyal	November 25, 1998	Winnipeg
The Honourable Judge Lynn A. Stannard	August 4, 1999	Winnipeg
The Honourable Judge Sidney B. Lerner	August 4, 1999	Winnipeg
The Honourable Judge Marva J. Smith	October 27, 1999	Winnipeg
The Honourable Judge Judith A. Elliott	July 26, 2000	Winnipeg
The Honourable Judge Kathlyn Mary A. Curtis	February 28, 2001	Winnipeg
The Honourable Judge John Combs	March 26, 2003	Brandon
The Honourable Judge Murray Thompson	March 26, 2003	Thompson

APPENDIX

B

Court Utilization: Domestic Violence Trials in Winnipeg

(Please see page 29 for a guide to interpreting court utilization statistics.)

April 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	42	22	1.7 hours
412	42	18	2 hours

May 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	42	23	1.7 hours
412	42	19	1.7 hours

June 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	40	21	1.9 hours
412	40	21	2.1 hours

July 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	44	24	1.6 hours
412	44	13	1.7 hours

August 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	42	23	1.9 hours
412	42	14	2.1 hours

September 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	36	21	1.8 hours
412	36	17	1.6 hours

APPENDIX

B

Page 2 of Appendix "B" - Domestic Violence Trials

October 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	44	29	1.8 hours
412	44	10	1.6 hours

November 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	40	25	2.2 hours
412	40	10	1.5 hours

December 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	34	19	2 hours
412	34	6	1 hours

January 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	44	27	1.5 hours
412	44	14	1.4 hours

February 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	40	25	1.8 hours
412	40	11	1.4 hours

March 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	42	28	1.8 hours
412	42	12	1.7 hours

APPENDIX

C

Court Utilization: Non Domestic Violence Trials in Winnipeg

(Please see page 29 for a guide to interpreting court utilization statistics.)

April 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	42	22	1.5 hours
405	42	15	1.8 hours
406	42	11	2 hours
407	42	14	1.8 hours

May 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	42	24	2 hours
405	42	24	1.6 hours
406	42	16	1.9 hours
407	42	15	2.3 hours

June 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	40	23	1.5 hours
405	40	27	1.6 hours
406	40	21	1.8 hours
407	40	25	2.1 hours

July 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	44	29	1.7 hours
405	44	25	2 hours
406	44	18	1.7 hours
407	44	12	2.1 hours

August 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	42	23	1.7 hours
405	42	13	1.4 hours
406	42	20	2.3 hours
407	42	17	1.6 hours

September 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	36	22	1.9 hours
405	36	17	1.5 hours
406	36	10	1.3 hours
407	36	15	1.5 hours

APPENDIX

C

Page 2 of Appendix "C" – Non-Domestic Violence Trials

October 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	44	22	1.7 hours
405	44	16	1.4 hours
406	44	15	1.9 hours
407	44	14	1.3 hours

November 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	40	23	1.6 hours
405	40	27	1.4 hours
406	40	20	1.5 hours
407	40	32	1.6 hours

December 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	34	19	1.4 hours
405	34	19	1.8 hours
406	34	12	1.5 hours
407	34	12	1.5 hours

January 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	44	26	2 hours
405	44	27	1.7 hours
406	44	23	1.9 hours
407	44	17	1.9 hours

February 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	40	22	1.8 hours
405	40	19	1.6 hours
406	40	14	1.5 hours
407	40	30	2.3 hours

March 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	42	27	1.8 hours
405	42	20	1.6 hours
406	42	16	1.7 hours
407	42	19	1.7 hours

APPENDIX

D

Court Utilization: Youth Trials in Winnipeg

(Please see page 29 for a guide to interpreting court utilization statistics.)

April 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	42	21	1.5
307	42	12	1.5

May 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	42	18	1
307	42	9	1.9

June 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	40	25	1.7
307	40	18	1.9

July 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	44	17	1.1
307	44	10	1.2

August 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	42	16	1.4
307	42	7	1.4

September 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	36	21	2.1
307	36	7	0.3

APPENDIX

D

Page 2 of Appendix "D" – Youth Trials

October 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	44	27	1.1
307	44	12	1.3

November 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	40	24	1.3
307	40	13	1.7

December 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	34	13	.9
307	34	12	2.1

January 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	44	22	1.2
307	44	11	1.2

February 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	40	30	1.6
307	40	9	1.8

March 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	42	25	2
307	42	10	2.2

APPENDIX

E

Court Utilization: Federal and Special Trials in Winnipeg

(Please see page 29 for a guide to interpreting court utilization statistics.)

April 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	42	24	2
411	42	20	2.1

May 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	42	27	1.9
411	42	16	2

June 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	40	25	1.9
411	40	6	1.7

July 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	44	27	1.9
411	44	4	1.6

August 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	42	21	1.8
411	42	11	1.5

September 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	36	19	1.5
411	36	12	1.5

APPENDIX

E

Page 2 of Appendix "E" – Federal and Special Trials

October 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	44	29	1.9
411	44	12	1.6

November 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	40	23	1.9
411	40	13	1.8

December 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	34	19	1.9
411	34	9	1.7

January 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	44	27	1.8
411	44	10	1.4

February 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	40	22	2
411	40	11	1.7

March 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	42	27	1.9
411	42	10	1.7

APPENDIX

F

Court Utilization: Youth, Bail, Disposition and Screening Dockets

(Please see page 29 for a guide to interpreting court utilization statistics.)

April 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	34	34	1.8 hours
301/303	26	25	1.7 hours

May 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	32	32	1.9 hours
301/303	25	21	1.8 hours

June 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	32	32	2 hours
301/303	26	24	1.6 hours

July 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	34	34	2 hours
301/303	11	11	1.8 hours

August 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	33	33	1.9 hours
301/303	19	19	1.5 hours

September 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	32	32	1.6 hours
301/303	23	22	1.6 hours

APPENDIX

F

Page 2 of Appendix "F" – Youth, Bail, Disposition and Screening Dockets

October 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	32	32	1.7 hours
301/303	27	22	1.9 hours

November 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	32	32	1.8 hours
301/303	23	23	1.9 hours

December 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	30	30	1.7 hours
301/303	14	13	1.7 hours

January 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	35	35	1.8 hours
301/303	26	26	1.6 hours

February 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	31	31	1.7 hours
301/303	22	22	1.5 hours

March 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	34	34	1.8 hours
301/303	26	26	1.2 hours

APPENDIX

G

Court Utilization: Bail Courts in Winnipeg

(Please see page 29 for a guide to interpreting court utilization statistics.)

April 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	42	27	2.4 hours
305	27	26	2.6 hours

May 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	44	25	2.3 hours
305	27	26	2.0 hours

June 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	40	27	2.2 hours
305	24	23	2.4 hours

July 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	44	36	2.2 hours
305	26	23	2.5 hours

August 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	40	33	2.1 hours
305	25	23	2.6 hours

September 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	40	30	2.4 hours
305	24	23	2.6 hours

October 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	42	35	2.6 hours
305	27	23	2.3 hours

APPENDIX

G

Page 2 of Appendix "G" –
Bail Courts in Winnipeg

November 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	40	28	2.1 hours
305	24	20	2.5 hours

December 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	40	23	2.8 hours
305	24	19	2.6 hours

January 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	44	32	2.5 hours
305	25	25	2.4 hours

February 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	40	36	2.2 hours
305	24	21	2.5 hours

March 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	42	31	2.9 hours
305	25	25	2.7 hours

APPENDIX

H

Court Utilization: Domestic Violence Screening and Disposition Courts

(Please see page 29 for a guide to interpreting court utilization statistics.)

April 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
301	4	4	2.1 hours
305	9	2	1.8 hours
401	4	4	2.5 hours
402	9	9	2.2 hours

May 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
301	3	3	2.5 hours
305	7	7	1.7 hours
401	5	5	2.7 hours
402	8	7	2.2 hours

June 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
301	4	4	2.3 hours
305	8	8	2.4 hours
401	4	4	2.9 hours
402	8	8	1.9 hours

July 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
301	4	4	2.5 hours
305	8	8	3.1 hours
401	3	3	1.9 hours
402	2	2	1.1 hours

August 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
301	3	3	2.9 hours
305	7	7	2 hours
401	5	5	2.4 hours
402	2	1	1.5 hours

September 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
301	4	4	2.5 hours
305	8	7	2.7 hours
401	4	4	2.4 hours
402	8	7	1.6 hours

APPENDIX

H

Page 2 of Appendix H:
Domestic Violence Screening and Disposition Courts

October 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
301	3	3	3 hours
305	7	6	3 hours
401	4	4	2.3 hours
402	10	10	1.6 hours

November 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
301	3	3	2.7 hours
305	7	5	3 hours
401	4	4	2.6 hours
402	8	8	1.7 hours

December 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
301	5	5	2.4 hours
305	7	6	3.2 hours
401	2	2	2.6 hours
402	6	5	2.2 hours

January 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
301	4	4	2.8 hours
305	8	8	3.2 hours
401	3	3	2.5 hours
402	16	16	2 hours

February 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
301	4	4	2.7 hours
305	8	8	2.3 hours
401	3	3	2.2 hours
402	14	14	1.8 hours

March 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
301	5	5	2.8 hours
305	9	9	2.6 hours
401	4	4	1.8 hours
402	12	12	2.2 hours

APPENDIX

I

Court Utilization: Adult Non-Domestic Violence Screening and Disposition

(Please see page 29 for a guide to interpreting court utilization statistics.)

April 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	34	18	2.7 hours
303	12	10	1.3 hours
305	8	3	1.6 hours
401	22	22	2.5 hours

May 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	34	28	2.3 hours
303	10	9	1 hour
305	10	6	2 hours
401	23	22	2.2 hours

June 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	32	28	2.4 hours
303	12	11	1.2 hours
305	8	6	2.1 hours
401	20	20	2.6 hours

July 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	36	31	2.5 hours
303	3	3	1.4 hours
305	7	7	1.7 hours
401	21	21	2 hours

August 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	32	30	2.1 hours
303	9	8	1.2 hours
305	10	10	1.5 hours
401	11	11	2.5 hours

September 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	30	25	2.7 hours
303	11	7	1.2 hours
305	8	5	2.7 hours
401	18	16	2.1 hours

APPENDIX

I

Page 2 of Appendix "I"
Adult Non-Domestic Violence Screening & Disposition Courts

October 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	36	32	2.2 hours
303	12	11	1.4 hours
305	9	8	1.6 hours
401	22	21	2 hours

November 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	30	27	2.3 hours
303	11	8	1.7 hours
305	8	7	2.0 hours
401	20	19	2.2 hours

December 2002

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	32	26	2.3 hours
303	8	4	1.4 hours
305	7	3	2.2 hours
401	12	12	2.3 hours

January 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	32	28	2.6 hours
303	12	9	1.5 hours
305	9	8	1.7 hours
401	17	16	1.9 hours

February 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	30	30	2.3 hours
303	11	8	.9 hours
305	8	7	1.6 hours
401	19	19	1.8 hours

March 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	34	31	2.6 hours
303	13	10	1.4 hours
305	8	8	2.2 hours
401	18	18	2.2 hours

APPENDIX

J

Court Locations in Manitoba

The Provincial Court of Manitoba has regular court sittings in Winnipeg, Brandon, Thompson, The Pas, Dauphin, and Portage la Prairie. For all other Manitoba communities listed below, the court sits generally on a monthly basis, in some cases convening court in a community facility.

ALTONA
Rhineland Pioneer Centre
227 - 10th Avenue Northwest

AMARANTH
Memorial Hall
205 Kinosota Road North

ARBORG
Community Hall

ASHERN
Centennial Hall

BEAUSEJOUR
Court House
20 - 1st Street

BERENS RIVER
Community Hall

BLOODVEIN
Band Hall

BOISSEVAIN
Civic Complex
420 Railway Street

BRANDON
Court House
1104 Princess Avenue

BROCHET
Community Hall

CARMAN
Legion Hall
12 - 2nd Avenue Southwest

CHURCHILL
Legion Hall

APPENDIX

J

Page 2 of Appendix "J"
Court Locations in Manitoba

CRANBERRY PORTAGE
Lions Club Hall

CROSS LAKE
Community Hall

DAUPHIN
Court House
114 River Avenue West

EASTERVILLE
Community Hall

EMERSON
Town Hall

FISHER BRANCH
Community Centre Hall

FLIN FLON
Court House
104-143 Main Street

GARDEN HILL
Band Hall

GILLAM
Recreational Centre

GIMLI
Gimli School
64 - 2nd Avenue

GOD'S LAKE NARROWS
Community Hall

GOD'S RIVER
Amos Okemow School

GRAND RAPIDS
Band Hall

KILLARNEY
Community Centre
300 Broadway

APPENDIX

J

LAC BROCHET
Band Hall

LAC DU BONNET
Legion Hall
45 McArthur Avenue

LEAF RAPIDS
Town Council Chamber

LITTLE GRAND RAPIDS
Band Hall

LUNDAR
Community Hall

LYNN LAKE
Legion Hall

MINNEDOSA
Court House
70 - 3rd Avenue Southwest

MOOSE LAKE
Community Hall

MORDEN
Court House
301 Wardrop Street

MORRIS
Morris Legion Hall

NEEPAWA
Municipal Offices
282 Hamilton Street

NELSON HOUSE
Gilbert McDonald Arena

NORWAY HOUSE
Kensew Sip First Nation

OXFORD HOUSE
Band Hall

APPENDIX

J

Page 4 of Appendix "J"
Court Locations in Manitoba

PAUINGASSI
Band Hall

POPLAR RIVER
Band Hall

PORTAGE LA PRAIRIE
Court House
B28- 25 Tupper Street North

POWERVIEW (Pine Falls)
Powerview Arena
22 Vincent Street

PUKATAWAGAN
Band Hall

ROBLIN
Provincial Building
117 - 2nd Avenue North

ROSSBURN
Community Hall
Main Street

RUSSELL
The Russell & District Community Centre
106 Shell River Avenue

SELKIRK
Court Complex
101 - 235 Eaton Avenue

SHAMATTAWA
Band Hall

SNOW LAKE
BPO Elks Lodge Hall
7 Wekusko Drive

SOUTH INDIAN LAKE
Fred Moore & Jimmy Spence Arena

SPLIT LAKE
Band Hall

APPENDIX

J

STEINBACH
Provincial Building
284 Reimer Avenue

ST. BONIFACE
Court House
227 Provencher Blvd.
Winnipeg, Manitoba

ST. MARTIN (GYPSUMVILLE)
Community Hall

STE. THERESA POINT

STONEWALL
IOOG Hall

SWAN RIVER
Provincial Building
201 - 4th Avenue South

TEULON
Rockwood Centennial Centre

THE PAS
Court House
300 - 3rd Street East

THOMPSON
Provincial Building
59 Elizabeth Drive

VIRDEN
Municipal Complex
232 Wellington Street West

WAYWAYSEECAPPO
Band Hall

WINNIPEG
Law Courts Building
408 York Avenue

WINNIPEG (SUMMARY CONVICTIONS)
1st Floor - 373 Broadway

APPENDIX

K

Court Utilization:
Brandon & Brandon Circuits

	Brandon	Boissevain	Killarney	Minnedosa	Neepawa	Rossburn	Russell	Virden	Wayway-seecappo
April									
Sittings	33	0	0	2	1	1	2	2	1
Hours	115	0	0	6.75	2	3	6.75	4.75	4
May									
Sittings	27	2	2	5	1	1	1	3	1
Hours	82.5	3	3	17.75	5.25	2.5	0.5	8.25	4.75
June									
Sittings	32	1	1	2	1	1	1	3	1
Hours	88	2	2	4.5	2	2	2.25	7.5	2.5
July									
Sittings	28	0	0	4	2	0	1	2	1
Hours	105.5	0	0	9.5	4	0	1.75	4.5	3.5
August									
Sittings	23	1	1	2	0	1	0	3	1
Hours	33.75	0.25	3.5	5.75	0	2.5	0	7.75	2
Septem-ber									
Sittings	23	0	1	4	1	1	1	2	1
Hours	66	0	2.5	10.25	3.5	0.75	1.5	3.25	4.5
October									
Sittings	29	1	1	4	1	2	0	3	1
Hours	92.5	1.5	2.5	9.25	2.5	5.75	0	12.25	3.5
Novem-ber									
Sittings	30	1	1	4	1	1	1	4	1
Hours	97.75	2	2	13.5	3	2	2.5	9	2.5
Decem-ber									
Sittings	26	0	2	3	1	1	0	1	1
Hours	80.25	0	4.75	10	2	3	0	1.25	5
January									
Sittings	29	2	2	3	2	2	1	2	1
Hours	81	7.5	4	8.5	9.5	5.25	2	7	2.5
February									
Sittings	27	0	0	2	1	1	1	2	1
Hours	75.25	0	0	5	1.5	2	2	6.5	7
March									
Sittings	29	1	1	2	1	1	1	3	1
Hours	81.25	6	4.75	5.5	2	4.75	2.25	5	2.75
Average Hours per sitting	2.97	2.47	2.67	2.87	2.87	2.58	2.15	2.57	3.71
Average # sittings per month	28.00	0.75	1.00	3.08	1.08	1.08	0.83	2.50	1.00

Brandon to Boissevain and return:	2 hours
Brandon to Killarney and return:	2.6 hours
Brandon to Minnedosa and return:	1.2 hours
Brandon to Neepawa and return:	1.7 hours
Brandon to Rossburn and return:	3.2 hours
Brandon to Russell and return:	4.4 hours
Brandon to Virden and return:	1.9 hours
Brandon to Waywayseecappo and return	3.6 hours

APPENDIX

L

Court Utilization: Dauphin & Dauphin Circuits

	Dauphin	Roblin	Swan River
April			
Sittings	17	2	4
Hours	36.75	2.5	14
May			
Sittings	15	3	5
Hours	29	5.5	16.5
June			
Sittings	18	1	4
Hours	46.25	1.5	12
July			
Sittings	15	2	6
Hours	30.25	2.75	17
August			
Sittings	16	2	3
Hours	37.75	3	12
September			
Sittings	15	4	6
Hours	42.5	8	16.5
October			
Sittings	39	1	5
Hours	132	0.5	9.5
November			
Sittings	29	2	6
Hours	66.5	3	16
December			
Sittings	16	1	3
Hours	44.5	0.75	5.5
January			
Sittings	21	1	4
Hours	42.75	2.25	16.5
February			
Sittings	14	1	4
Hours	35	1.5	9.5
March			
Sittings	18	0	2
Hours	42	0	6
Average Hours per sitting	2.51	1.56	2.90
Average # sittings per month	19.42	1.67	4.33

Dauphin to Roblin and return: 2.4 hours
Dauphin to Swan River and return: 4.3 hours

APPENDIX

M

Court Utilization:
Portage & Portage Circuits

	Portage	Amaranth
April		
Sittings	14	3
Hours	47.5	4.5
May		
Sittings	14	3
Hours	41	6.75
June		
Sittings	16	3
Hours	46	7.5
July		
Sittings	13	3
Hours	32.5	6.25
August		
Sittings	12	3
Hours	39.25	7
September		
Sittings	13	2
Hours	33.5	6.25
October		
Sittings	14	3
Hours	39.25	6.5
November		
Sittings	13	3
Hours	29.5	5.75
December		
Sittings	9	2
Hours	32.25	5.75
January		
Sittings	14	4
Hours	44.45	7
February		
Sittings	13	3
Hours	46.5	7.25
March		
Sittings	14	3
Hours	47.75	5.25
Average Hours per sitting	3.02	2.16
Average # sittings per month	13.25	2.92

Portage la Prairie to Amaranth and return: 4.4 hours

APPENDIX

N

Court Utilization: The Pas & The Pas Circuits

	The Pas	Cranberry Portage	Easterville	Flin Flon	Grand Rapids	Moose Lake	Pukatawa-gan	Snow Lake
April								
Sittings	14	1	1	2	0	1	2	0
Hours	52.5	2.5	3.5	3.75	0	2.5	7.5	0
May								
Sittings	16	1	1	3	2	1	2	1
Hours	63.5	2	1.5	6.5	10	5.5	6.5	2
June								
Sittings	17	1	1	3	2	1	2	0
Hours	56	2	2	10.5	5.5	5	7.5	0
July								
Sittings	20	0	1	1	1	1	1	0
Hours	60.5	0	2.5	2.5	5	5.5	5.5	0
August								
Sittings	13	1	2	3	3	1	3	0
Hours	67	2	7	5.75	15.5	4	18.5	0
September								
Sittings	15	0	1	3	1	1	2	0
Hours	59.5	0	5	13.75	5.5	2.5	7.5	0
October								
Sittings	16	0	1	5	2	1	3	0
Hours	58	0	5	14.75	7	3	12	0
November								
Sittings	14	1	2	4	2	1	2	0
Hours	51.5	1.5	6	7.5	8.5	4	11	0
December								
Sittings	14	1	1	2	0	1	1	0
Hours	40	2	4	4	0	4	3	0
January								
Sittings	22	1	1	2	1	1	2	0
Hours	66.5	2	5.5	8.75	5.5	3.5	11	0
February								
Sittings	15	1	1	2	1	1	1	0
Hours	51.5	6.5	3	5.5	4	4.5	7	0
March								
Sittings	19	1	1	2	1	1	2	1
Hours	66.5	2	7.5	2.25	5	5	10	2.5
Average Hrs. per sitting	3.55	2.50	3.75	2.61	4.47	4.08	4.65	2.25
Average # of sittings per month	16.25	0.75	1.17	2.75	1.33	1.00	1.92	0.17

The Pas to Cranberry Portage and return	2.0 hours
The Pas to Easterville and return	4.5 hours
The Pas to Flin Flon and return	2.3 hours
The Pas to Grand Rapids and return	5.5 hours
The Pas to Moose Lake and return	3.0 hours
The Pas to Pukatawagan and return	2.5 hours
The Pas to Snow Lake and return	4.5 hours

APPENDIX

O

Court Utilization:
Thompson & Thompson Circuits

	Thompson	Brochet	Churchill	Cross Lake	Gillam	God's Lake Narrows	God's River	Lac Brochet
April								
Sittings	21	1	0	3	1	0	1	0
Hours	69.5	0.5	0	7.75	0.75	0	1	0
May								
Sittings	22	0	0	2	0	2	0	1
Hours	57.5	0	0	4.5	0	2.75	0	0.5
June								
Sittings	21	1	1	2	1	1	1	0
Hours	65.75	4.5	1	8.75	5.25	1.5	1.25	0
July								
Sittings	18	0	0	3	0	2	0	1
Hours	60.5	0	0	7	0	3.25	0	1.25
August								
Sittings	19	0	1	2	0	1	0	0
Hours	57.5	0	2	1.75	0	0.75	0	0
September								
Sittings	18	1	1	1	1	1	1	1
Hours	67.5	0.75	4.75	2	1.5	2.5	2.25	1.25
October								
Sittings	24	0	0	4	1	3	0	0
Hours	71.75	0	0	6.75	3.5	1.75	0	0
November								
Sittings	21	0	1	3	0	2	1	1
Hours	74.5	0	1.25	11.25	0	1.75	1.25	0.25
December								
Sittings	15	0	0	2	0	1	0	0
Hours	44.5	0	0	3.75	0	0.5	0	0
January								
Sittings	19	0	0	1	0	2	0	0
Hours	75	0	0	3.25	0	1	0	0
February								
Sittings	15	0	0	1	0	1	0	0
Hours	55.25	0	0	3.25	0	3.75	0	0
March								
Sittings	17	0	0	1	0	1	0	0
Hours	61	0	0	3.75	0	2.5	0	0
Average Hrs. per sitting	3.31	1.92	2.25	2.55	2.75	1.29	1.44	0.81
Average # sittings per month	19.17	0.25	0.33	2.08	0.33	1.42	0.33	0.33

Thompson to Brochet & return:	2.5 hours
Thompson to Churchill & return:	2.5 hours
Thompson to Cross Lake & return:	1 hour
Thompson to Gillam & return:	1.8 hours
Thompson to God's Lake Narrows & return:	1.8 hours
Thompson to God's River & return:	3 hours
Thompson to Lac Brochet & return:	3 hours

APPENDIX

O

Court Utilization: Thompson & Thompson Circuits

	Leaf Rapids	Lynn Lake	Nelson House	Norway House	Oxford House	Shamat-tawa	South Indian Lake	Split Lake
April								
Sittings	1	1	2	3	1	1	0	0
Hours	0.75	2.25	0.5	5	1.75	1	0	0
May								
Sittings	2	1	1	3	2	1	1	0
Hours	2.75	0.25	1	2.25	3	3	1.5	0
June								
Sittings	1	1	1	3	2	1	1	1
Hours	3.5	2.5	1.75	5.75	1.75	3.5	3.75	4.25
July								
Sittings	2	3	2	3	1	1	0	0
Hours	3.5	3.25	2	5.75	1.25	1.5	0	0
August								
Sittings	0	3	1	1	0	1	0	0
Hours	0	6.75	0.75	2	0	1.75	0	0
September								
Sittings	1	0	1	1	1	3	1	0
Hours	3.75	0	3	1.75	1.75	7.75	1.25	0
October								
Sittings	1	1	1	2	1	1	1	0
Hours	0.25	1.5	0.5	4.75	1.75	0.25	1	0
November								
Sittings	1	1	0	2	1	1	1	1
Hours	2.25	0.75	0	4	1	0.75	0.5	2.5
December								
Sittings	2	1	2	1	1	0	1	0
Hours	1	1.75	1	0.25	0.5	0	0.5	0
January								
Sittings	0	0	0	0	1	1	0	0
Hours	0	0	0	0	0.75	4.75	0	0
February								
Sittings	0	1	0	2	0	0	0	0
Hours	0	2	0	4.25	0	0	0	0
March								
Sittings	0	1	0	1	0	0	0	0
Hours	0	0.75	0	1.5	0	0	0	0
Average Hrs. per sitting	1.61	1.55	0.95	1.69	1.23	2.20	1.42	3.38
Average # sittings per month	0.92	1.17	0.92	1.83	0.92	0.92	0.50	0.17

Thompson to Leaf Rapids and return	1 hour
Thompson to Lynn Lake and return	1.5 hours
Thompson to Nelson House and return	2.0 hours
Thompson to Norway House and return	1.2 hours
Thompson to Oxford House and return	1.1 hours
Thompson to Shamattawa and return	2.5 hours
Thompson to South Indian Lake and return	1 hour
Thompson to Split Lake and return	2.6 hours

APPENDIX

P

Court Utilization:
Winnipeg & Winnipeg Circuits

	Altona	Arborg	Ashern	Beause-jour	Berens River	Bloodvein	Carman	Emerson
April								
Sittings	1	1	1	5	0	0	0	3
Hours	2.75	2	2.5	16	0	0	0	9
May								
Sittings	1	1	0	4	1	0	1	2
Hours	1	3.5	0	3.75	5	0	4	7.5
June								
Sittings	1	1	4	1	1	0	0	3
Hours	7.5	2.5	9.25	2	2	0	0	8.5
July								
Sittings	1	1	1	5	0	1	1	3
Hours	2.25	4	1.25	14.25	0	2.75	1	8.5
August								
Sittings	1	1	1	2	1	0	0	3
Hours	2.25	1.25	1.25	2	3.5	0	0	8.5
September								
Sittings	1	1	1	3	1	0	1	3
Hours	2.5	1	3	7.5	4	0	1.5	8.5
October								
Sittings	0	1	1	4	0	1	0	3
Hours	0	1.5	2.5	10.75	0	2.25	0	6
November								
Sittings	1	1	1	3	1	0	1	2
Hours	5.25	0.75	1	6.5	1.5	0	4	6
December								
Sittings	1	1	1	3	1	0	0	2
Hours	2	1.5	0.75	6.5	2.75	0	0	5
January								
Sittings	2	1	2	4	0	1	2	4
Hours	4.5	3.25	7	13.75	0	1.5	3.5	7
February								
Sittings	1	2	1	2	1	1	0	3
Hours	5	3	1.25	3.5	2.5	3	0	10.75
March								
Sittings	1	1	1	3	1	1	1	2
Hours	4	3	2.5	8.5	2.5	2.25	4.75	7
Average Hours per sitting	3.25	2.10	2.15	2.44	2.97	2.35	2.68	2.80
Average # sittings per month	1.00	1.08	1.25	3.25	0.67	0.42	0.58	2.75

Winnipeg to Altona and return	2.8 hours
Winnipeg to Arborg and return	3.0 hours
Winnipeg to Ashern and return	4.6 hours
Winnipeg to Beausejour and return	1.5 hours
Winnipeg to Berens River and return	1.5 hours
Winnipeg to Bloodvein and return	1.2 hours
Winnipeg to Carman and return	2.0 hours
Winnipeg to Emerson and return	2.6 hours

APPENDIX

P

Court Utilization: Winnipeg & Winnipeg Circuits

	Fisher Branch	Garden Hill	Gimli	Lac du Bonnet	Little Grand Rapids	Lundar	Morden	Morris
April								
Sittings	3	0	3	13	1	1	5	2
Hours	11	0	7	30.75	6.5	3.5	17.25	5.5
May								
Sittings	2	0	2	1	2	0	4	2
Hours	2.25	0	4.5	3	7.5	0	8.25	2
June								
Sittings	2	0	2	2	0	1	5	1
Hours	3.5	0	2.5	7	0	2	12.5	4
July								
Sittings	2	3	3	1	2	1	3	2
Hours	7	14.25	8	2	11	1.75	6.75	1.5
August								
Sittings	3	1	1	1	1	2	3	2
Hours	6.25	4	3	3.5	3.5	5.5	4.5	4
September								
Sittings	4	2	1	2	0	1	4	1
Hours	15	5	4	5.5	0	2.25	12.5	.05
October								
Sittings	1	2	5	2	2	2	6	3
Hours	4	7	9	2.5	6.25	4	18	5.75
November								
Sittings	2	0	2	2	1	1	4	1
Hours	6.5	0	10.75	3.5	5	3.25	11.25	1
December								
Sittings	2	0	2	2	0	0	3	1
Hours	5.5	0	5.5	11	0	0	10.25	.05
January								
Sittings	2	1	1	1	2	2	2	2
Hours	4.5	2.5	2	3	8	3	6.25	1
February								
Sittings	3	1	2	0	0	2	3	2
Hours	5.75	5.5	5.75	0	0	6.25	12	2.25
March								
Sittings	2	1	3	0	1	1	3	1
Hours	4.5	3.75	5.5	1	3	3.5	7.25	1
Average Hours per sitting	2.71	3.82	2.50	2.72	4.23	2.50	2.82	1.46
Average # sittings per month	2.33	0.92	2.25	2.33	1.00	1.17	3.75	1.67

Winnipeg to Fisher Branch and return	4.0 hours
Winnipeg to Garden Hill and return	3.4 hours
Winnipeg to Gimli and return	2.4 hours
Winnipeg to Lac du Bonnet and return	2.7 hours
Winnipeg to Little Grand Rapids and return	2.0 hours
Winnipeg to Lundar and return	3.0 hours
Winnipeg to Morden and return	3.1 hours
Winnipeg to Morris and return	1.7 hours

APPENDIX

P

Court Utilization:
Winnipeg & Winnipeg Circuits

	Pauingassi	Poplar River	Powerview	Selkirk	Steinbach	St. Martin	St. Theresa Point	Stonewall	Teulon
April									
Sittings	0	1	7	0	11	2	0	1	1
Hours	0	1.25	18.75	0	17.75	8.5	0	3	2.5
May									
Sittings	0	0	4	10	10	1	0	2	1
Hours	0	0	8.5	23.25	20.75	5.25	0	9.5	1.5
June									
Sittings	0	0	6	9	12	2	0	1	1
Hours	0	0	17.25	31.5	27.75	12	0	2.25	1.5
July									
Sittings	1	1	5	10	9	2	0	3	1
Hours	6	5	11.5	22.75	21	11	0	5	1
August									
Sittings	1	0	5	9	13	2	1	2	1
Hours	3.75	0	11	16.75	26.75	13.75	1.5	8.25	2
September									
Sittings	0	0	6	9	9	3	1	2	1
Hours	0	0	15.5	15.5	23.25	15	5	3	0.75
October									
Sittings	1	1	6	9	11	2	0	2	1
Hours	4.75	2	14	16.75	25.5	10	0	4.5	1
November									
Sittings	0	0	7	10	14	2	0	2	1
Hours	0	0	20.5	26.5	44	11.5	0	3	1.5
December									
Sittings	0	0	2	6	5	2	0	1	1
Hours	0	0	5	8	13.75	10	0	5.5	5.5
January									
Sittings	1	1	6	10	13	2	0	1	1
Hours	1.75	3.5	16.25	27	21.25	11.5	0	5.5	3.5
February									
Sittings	0	0	4	8	8	2	0	2	1
Hours	0	0	12.5	11.75	14.25	11.5	0	3.75	2.5
March									
Sittings	1	4	1	12	9	2	1	3	1
Hours	3	12.5	2	31.75	21.5	10.75	4	15.5	6.25
Average Hours per sitting	3.85	3.03	2.59	2.27	2.24	5.22	3.50	3.13	2.50
Average # sittings per month	0.42	0.67	4.92	8.50	10.33	2.00	0.25	1.83	1.00

Winnipeg to Pauingassi and return	2.5 hours
Winnipeg to Poplar River and return	1.6 hours
Winnipeg to Powerview and return	3.3 hours
Winnipeg to Selkirk and return	1.0 hours
Winnipeg to Steinbach and return	1.6 hours
Winnipeg to St. Martin and return	6.5 hours
Winnipeg to St. Theresa Point and return	3.5 hours
Winnipeg to Stonewall and return	.9 hours
Winnipeg to Teulon and return	1.5 hours